

## OPEN SESSION MINUTES

Department of Consumer Affairs  
Board of Psychology  
Special Board Meeting by Teleconference  
*1430 Howe Avenue, Suite 88*  
*Sacramento, CA 95825*  
*December 22, 1998*

The special board meeting by teleconference of the Board of Psychology was called to order by Judith Janaro Fabian, Ph.D. at 9:00 a.m.. A quorum was present and due notice had been set to interested parties.

Present were:

Judith Janaro Fabian, Ph.D., Vice-Chairperson  
Martin Greenberg, Ph.D. (On-Site at 1430 Howe Avenue, Suite 88)  
Emil Rodolfa, Ph.D.  
Mary Ellen Early  
Marilyn Palarea  
Mary McMillan

Others Present:

Thomas O'Connor, Executive Officer  
Dan Buntjer, DCA Legal Counsel  
Suzanne Taylor, Enforcement Coordinator  
Karen Johnson, Licensing/Examination Coordinator  
Jeff Thomas, Special Projects Coordinator

### **Agenda Item #1 - Reason and Justification for "Special Meeting"**

Dr. Fabian explained that the purpose of the special meeting was to adopt emergency regulations to establish the passing scores for the written and oral examinations for licensure.

Dr. Fabian stated that the Open Meeting Act allows a "special" meeting to be held only to discuss and act upon certain matters, including considering licensing examinations. At the opening of a special meeting, the board must make a finding that the delay necessitated by providing notice 10 days prior to the meeting would cause a substantial hardship on the board. The reasons why such a delay would cause a substantial hardship on the board for this meeting are:

1. SB 1983, enacted in 1998 and effective January 1, 1999, requires the board to adopt the passing scores for the licensing examinations by administrative regulation.
2. The oral examinations for licensure are to be administered on January 9 and January 16, 1999. The passing scores must be in regulation by the time of the examination.

3. Action to adopt emergency regulations must be taken immediately in order to meet the very tight time deadlines imposed by the effective date of the new law and the upcoming examinations.

4. The holiday season and individual preexisting commitments make it very difficult to schedule meetings.

M(Greenberg)/S(Rodolfa)/C that the delay necessitated by providing notice 10 days prior to the meeting would cause a substantial hardship on the board for the reasons noted in items 1-4 above.

Vote: 6-0 (Rollcall) - Unanimous

### **Agenda Item 2 - Difficulty in Obtaining a Quorum at One Location**

Dr. Fabian noted that in order for the board to hold a meeting by teleconference, it must be difficult or impossible to obtain a quorum at one location. Dr. Fabian stated that after checking with all of the board members, it had been determined that prior commitments and the need to meet on an urgent basis precluded a quorum of members from traveling to a single location for the meeting.

### **Agenda Item 3 - Action Regarding the License Examination**

Mr. O'Connor explained that Senate Bill 1983, which becomes effective January 1, 1999, among other things, amends section 2942 of the Business and Professions Code. This section, as of that date, will state, "The passing grades for the written and oral examinations shall be established by the board in regulations and shall be based on psychometrically sound principles of establishing minimum qualifications and levels of competency."

To address this amendment in law, Mr. O'Connor proposed that the board adopt regulation changes for emergency implementation as follows:

Subsection (b) of section 1388 is amended to read:

(b) The board shall contract for the furnishing and administration of the ~~written examination materials~~ Examination for Professional Practice in Psychology (EPPP). An applicant shall pass the written examination before the oral examination may be taken. The board shall apply the national pass point to the EPPP as recommended by the Association of State and Provincial Psychology Boards. Currently, the national recommended pass point is 140.

NOTE: Authority cited: Sections 2930 and 2942, Business and Professions Code.

Reference: Sections 123, 496, 2941 2942, 2943 and 2960, Business and Professions Code.

Subsection (d) of section 1388.5 is added to read as follows:

(d) The process to determine the pass point on the board's oral examination shall be overseen by the Department of Consumer Affairs' Office of Examination Resources. The passing point on the oral examination shall be at a level of minimally acceptable competence. The level of minimally acceptable competence shall be empirically defined by applying a criterion referenced methodology. The final score on the oral licensing examination shall be pass/fail.

NOTE: Authority cited: Section 2930, Business and Professions Code.

Reference: Sections 2931, 2941, 2942, and 2945, Business and Professions Code, and Section 12944, Government Code.

**Agenda Item 3(A) - Adoption of Emergency Regulations to Establish Passing Scores**

M(Rodolfa)/S(Greenberg)/C to adopt the emergency regulations to establish passing scores, and to authorize the Executive Officer to take all remaining necessary steps in the regulations process.

VOTE: 6-0 (Rollcall) - Unanimous

M(Rodolfa)/S(McMillan)/C to adjourn the special meeting at 9:15 a.m.

VOTE: 6-0 (Rollcall) - Unanimous

Respectfully Submitted,

Judith Janaro Fabian, Ph.D.  
Vice-Chairperson